

United States Court of Appeals
For the Eighth Circuit

No. 12-2903

Bilder Peralta-Cifuentes

Petitioner

v.

Eric H. Holder, Jr., Attorney General of United States

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals

Submitted: April 17, 2013

Filed: April 22, 2013

[Unpublished]

Before MURPHY, SMITH, and COLLOTON, Circuit Judges.

PER CURIAM.

Guatemalan citizen Bilder Peralta-Cifuentes petitions for review of an order of the Board of Immigration Appeals (BIA), denying his motion to reopen removal proceedings. In his motion to reopen, Peralta-Cifuentes sought permission to apply for withholding of removal and for relief under the Convention Against Torture. In denying his motion, the BIA concluded that he had not established *prima facie*

eligibility for either form of relief. After careful review, we conclude that the BIA acted within its discretion. See Averianova v. Holder, 592 F.3d 931, 936 (8th Cir. 2010) (standard of review); Minwalla v. INS, 706 F.2d 831, 834-35 (8th Cir. 1983) (no abuse of discretion in denying motion to reopen where petitioner's allegations did not establish prima facie case for substantive relief sought). Accordingly, we deny the petition for review. See 8th Cir. R. 47B.
